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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,805	02/05/2001	Barton F. Haynes	1579-548	4002

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EXAMINER

STUCKER, JEFFREY J

ART UNIT

PAPER NUMBER

1648

DATE MAILED: 08/24/2004

30

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No. 09/775,805	Applicant(s) HAYNES ET AL.	
	Examiner Jeffrey Stucker	Art Unit 1648	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 6/16/04 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

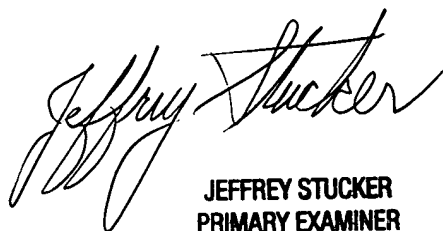
c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

Applicant's submission of an Information Disclosure Statement on 6/16/04 is being treated as a 312 amendment because a Notice of Allowability has been mailed in this application on 3/11/04. The previous action was improperly labeled as a Notice of Allowability when it should have properly been labeled as a response to a 312 amendment. The IDS filed on 6/16/04 has not been considered because it has not been properly filed. The IDS is not in compliance because applicant checked the 37 CFR 1.97(b) box on the form 1449 cover letter which is not correct as an office action, a Notice of Allowability, was mailed 3/11/04.


JEFFREY STUCKER
PRIMARY EXAMINER